

COMMERCIAL USE AUTHORIZATION FOR GUIDED MOTORIZED BOATS
OPERATING PLAN – ATTACHMENT B

General Provisions

- 1) The CUA for Motorized Boating allows the CUA holder to conduct guided touring or fishing trips in larger motorized boats on Yellowstone Lake and/or Lewis Lake. Portions of Yellowstone Lake, and all of Shoshone Lake are restricted to non-motorized boats.
- 2) Shuttle service for canoers/kayakers or backpackers is prohibited.
- 3) Overnight backcountry use is not authorized by this permit.
- 4) This permit includes guided fishing from the boat. All clients who are fishing must have a Yellowstone National Park fishing permit and must obey park fishing regulations. Fishing permits are required for anyone 16 years and older.
- 5) There is a maximum limit of 5 boats per day.
- 6) The CUA holder shall be liable for any damages to any property of the United States resulting from the use authorized hereunder.
- 7) Violation of any park regulation or terms of this permit may result in issuance of a violation notice, suspension of privileges granted by this permit, or revocation of this permit.
- 8) Guides must meet clients outside of park concessioner's land assignment and NPS Visitor Centers.

Administrative Requirements

- 9) Section 512 of the Credit Card Accountability Responsibility and Disclosure Act of 2009, P.L. 111-24, 123 Stat. 1764-65, allows persons to possess firearms while in units of the National Park and National Wildlife Refuge Systems if they are possessed in compliance with applicable federal and state law.

The Following are specific requirements for operating in Yellowstone National Park:

- CUA holder employees may not possess firearms while on duty. The superintendent, in his or her sole discretion, may grant exceptions to this prohibition upon consideration of a written request from the CUA's general manager with a thorough explanation of the basis of the request.
- CUA holders are responsible for determining how they will interpret and implement State firearm possession laws in regard to their clients. The CUA holder and/or its legal counsel should consult the applicable state attorney general's office for access to relevant state firearms laws.
- The Concessioner must articulate to the Service how it will implement this law in regards to its operation. The policy should address the two issue points:
 1. The on-duty employees in Yellowstone Park, will be prohibited from firearm possession:
____ Yes ____ No
 2. I will ____ will not ____ allow visitors to carry firearms while participating in this service.

Staffing and Employment

- 10) At a minimum, one guide on each trip must be currently certified in standard first aid. A written list of guides and dates of standard first-aid certification must be provided to the Concessions Management Office prior to the beginning of the operational season. Copies of first-aid cards need not be submitted.
- 11) Guides must be at least 18 years of age and trained in basic safety, resource protection, Leave No Trace

principles, park rules and regulations and in the requirements of the CUA terms and conditions.

- 12) Foot travel in all thermal areas must be confined to boardwalks or trails that are maintained for such travel and are marked by official signs. 36 CFR, Ch1, se. 7.13(i) No off-trail travel is allowed; stay on designated boardwalks and trails.
- 13) One guide on each trip must have previous, relevant outdoor experience including previous experience on the lakes they are guiding.
- 14) Guides must have a current NPS marine guide card (good for 5 years) in their possession while guiding. Operators must complete an annual vessel inspection.

Operational Requirements

- 15) While on Yellowstone Lake or Lewis Lake, the CUA holder or guide shall remain with their clients for the duration of the trip.
- 16) Every vessel must have a current Yellowstone National Park boat permit and a map of Yellowstone and/or Lewis Lakes when operating there. Operators are required to be familiar with and follow the rules and regulations found in the "Yellowstone National Park Boating Regulations" publication.
- 17) "Class I (16' to 26') and Class II (26' < 40') motorized boats shall proceed no closer than 1/4 mile from the shoreline of the South and Southeast arms of Yellowstone Lake except to debark or embark passengers, or while moored while passengers are ashore." 36 CFR 7.13(9)(i).
- 18) Commercial motorized boat operators must follow National Park Service (NPS) regulations (Intermountain Region Task Directives 1990). Safety equipment must be approved by the United States Coast Guard (USCG). All FCC licensing requirements need to be followed.
- 19) To prevent Aquatic Invasive Species (AIS), the CUA holder must ensure gear, tackle, clothing, equipment (especially wading boots) and float tubes are cleaned and dried before entering or changing Yellowstone waters.
- 20) All watercraft, trailers, towing vehicles and water recreational gear (including any inflatable or float tube and associated water recreational articles) must undergo an Aquatic Invasive Species (AIS) inspection prior to entering any water within Yellowstone National Park. AIS inspections must be done at the same time a boat permit is issued and conducted only by authorized NPS AIS staff.
- 21) Any watercraft, trailer, tow vehicle, or other article immersed in park waters known to contain Aquatic Invasive Species, shall be thoroughly inspected and cleaned prior to entering any other waters within the park.

Waters contaminated by Aquatic Invasive Species include: Yellowstone Lake, Yellowstone river (Yellowstone Lake to the park north boundary), Pelican Creek, Gardiner River (Mammoth Hot Springs to the park north boundary), Lewis River (south of Lewis Falls), Madison River, Gibbon River (Madison to Norris), Firehole River (Madison to Old Faithful), and Nez Perce Creek.
- 22) Foot travel in all thermal areas must be confined to boardwalks or trails that are maintained for such travel and are marked by official signs. 36 CFR, Ch1, se. 7.13(i) No off-trail travel is allowed; stay on designated boardwalks and trails.
- 23) The CUA holder must ensure that all clients and guides stay at least 100 yards from bears and wolves. A distance of 25 yards is required from bison, elk and other animals. Regardless of any distance, if any wild animal changes its behavior due to your group's presence, you are too close.

24) The CUA holder or guide must provide all clients with orientation prior to the trip which emphasizes safety, bear habitat, Leave No Trace principles, park rules and regulations and the nature and demands of the trip.

25) The CUA holder is responsible for ensuring that all clients are safely equipped and properly clothed prior to the trip. Each boat should have, at a minimum, the following:

- at least one woolen blanket sealed in a watertight compartment
- an emergency paddle
- a manual bailing device
- waste receptacle
- whistle
- USGC visual distress signal
- marine band radio or cellular phone is recommended

Guides intending to operate a marine band radio must apply for and have available a marine band radio FCC license. Call (800) 418-3676 for forms or (202) 418-0220 for assistance. Currently, the National Park Service does not monitor marine band traffic 24 hours a day. During the summer marine band is monitored during the day.

Cellular phone coverage does not cover all locations on the lakes.

26) All clients must wear Type I USCG approved personal flotation devices (PFDs) that are properly sized, in serviceable condition.

27) CUA holders must abide by the Food Storage and Food Sanitation Guidelines found in Appendix A.

28) The CUA holder must provide all visitor services in a manner that is consistent with and supportive of the interpretive goals and objectives of the park.

29) Boats are limited to drift within 25 feet of shoreline thermal features, and are not allowed to land within 10 meters of thermal features.

Reporting Requirements

30) All accidents must be reported to a ranger as soon as possible.

31) CUA holders will provide to the Concessions Management Office a monthly report indicating the date, number of visitors guided, and locations visited for the preceding month of operation. Reports must be received no later than the end of the following month. When fishing, the report includes, the body of water, time spent fishing, types of fish caught, and number of fish kept.

32) If clients fish, CUA holder will provide to the Concessions Management Office a monthly report indicating the date, number of visitors guided, number and types of fish caught, and locations visited for the preceding month of operation. Reports must be received no later than the end of the following month. The NPS will provide a fillable monthly use report.

33) For further boating guidelines, prohibitions, and regulations, please refer to the information provided in "Boating Regulations". Please keep these guidelines on board for reference.

34) For further backcountry guidelines and regulations, please refer to the information provided in "Beyond Road's End", available at any backcountry office.

I have read and agree to the Motorized Boating conditions. I hereby confirm that the above conditions will be reiterated to all guides associated with this business.

CUA Holder's Signature

Date

Title

Company Name

Return this page along with the application for a Commercial Use Authorization.